

AMENDED IN SENATE JUNE 16, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 2349

Introduced by Assembly Member Fong

February 19, 2010

An act to amend Section 14206 of, and to add Section 14021 to, the Unemployment Insurance Code, relating to workforce development.

LEGISLATIVE COUNSEL'S DIGEST

AB 2349, as amended, Fong. Workforce development: Youth at Work Program.

The federal Workforce Investment Act of 1998 provides for workforce investment activities, including activities in which states may participate. Existing law establishes the California Workforce Investment Board (CWIB), and specifies that the CWIB is responsible for assisting the Governor in the development, oversight, and continuous improvement of California's workforce investment system.

This bill would require the CWIB, in collaboration with the local workforce investment boards, to establish the California Youth at Work Program for the purpose of providing summer job training, *work based learning*, and work experience opportunities for youth in the state, in accordance with prescribed requirements.

Existing law contains various programs for job training and employment investment, including work incentive programs, as specified, and a local workforce investment board to perform various duties related to the implementation and coordination of local workforce investment activities, including, among other things, the award of grants and contracts to eligible providers of youth activities on a competitive basis, consistent with the federal law.

This bill would specify that a local board is to award grants or contracts to eligible providers of youth activities, in a manner consistent with other funding sources and to identify eligible providers in a manner consistent with federal law.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 14021 is added to the Unemployment
2 Insurance Code, to read:

3 14021. (a) The California Workforce Investment Board, in
4 collaboration with local workforce investment boards, shall
5 establish the California Youth at Work Program, for the purpose
6 of providing summer job training, *work based learning*, and work
7 experience opportunities for youth in the state. The program shall
8 be established in accordance with the following requirements:

9 (1) The program shall include work experience, *work based*
10 *learning*, and academic enrichment components.

11 ~~(2) Eligible youth who participate in the program shall be~~
12 ~~between 14 and 24 years of age.~~

13 ~~(3)~~

14 (2) The program shall primarily focus on providing summer job
15 training, *work based learning*, and work experience opportunities
16 for youth. For purposes of this section, the period of “summer”
17 shall be from May 1 through September 30 of each year. However,
18 the program’s start and end dates may vary within this time period.

19 ~~(4)~~

20 (3) The following youth shall be deemed automatically eligible
21 for the California Youth at Work Program *when allowable by the*
22 *criteria established by the funding mechanism*: low-income youth
23 and certain youth populations facing barriers to employment,
24 including, but not limited to, youth in foster care, youth who have
25 aged out of foster care, youth whose families are enrolled in the
26 CalWORKs program (Chapter 2 (commencing with Section 11200)
27 of Part 3 of Division 9 of the Welfare and Institutions Code), youth
28 who are enrolled in the CalWORKs program, ~~homeless youth~~
29 *youth who are homeless*, youth with disabilities, youth who are
30 under the care of the court system, youth who participate in the
31 National School Lunch Program, youth with one parent or guardian

1 who is ~~in~~ a dislocated worker, or a recipient of unemployment
2 compensation benefits, and youth with additional barriers. Military
3 veterans and their spouses who are under 24 years of age shall be
4 given priority for services under the program. *Program participants*
5 *may be between 14 and 24 years of age.*

6 ~~(5)~~

7 (4) The program shall, to the extent feasible and appropriate,
8 incorporate *academic enrichment components*, work-based learning
9 strategies, work experience, *career ladders coordinated with*
10 *existing employment training programs and economic development*
11 *programs, including, but not limited to, programs funded under*
12 *the Workforce Investment Act of 1998 (29 U.S.C. Sec. 2801 et seq.)*
13 *or other state or federally funded workforce investment program,*
14 *the California Community Colleges, the regional occupational*
15 *programs and regional occupation centers, vocational education*
16 *programs, joint labor-management training programs, and*
17 *preapprenticeship or registered apprenticeship programs*
18 *authorized by the Department of Industrial Relations Division of*
19 *Apprenticeship standards*, and other activities that involve exposing
20 youth to industrial job sector opportunities that are key to the
21 economic region. Local workforce investment boards may
22 incorporate secondary and postsecondary education as deemed
23 appropriate.

24 ~~(6)~~

25 (5) Wages or stipends, or both, may be provided to youth in a
26 classroom-based component of a summer employment opportunity.

27 ~~(7)~~

28 (6) Minors under 18 years of age who are enrolled in the
29 program shall be paid at least the minimum wage and applicable
30 overtime rates established by the state's Industrial Welfare
31 Commission (IWC).

32 ~~(8)~~

33 (7) High school graduates or those persons holding an equivalent
34 degree shall be paid at the same levels as the local workforce
35 investment area's workforce experience policy for adults and
36 dislocated workers, when those individuals perform the same
37 quantity, quality, and classification of work.

38 (b) The board, in consultation with local workforce investment
39 boards, shall request, if required, any necessary waivers from the

1 United States Department of Labor, to ensure effective and efficient
2 implementation of the program set forth in this section.

3 (c) The program established by this section shall only be
4 implemented if the Director of Finance determines that there are
5 sufficient federal or state funds made available to the state for
6 expenditure for the program.

7 ~~(9) The California Youth at Work Program shall incorporate~~
8 ~~career pathways or career ladders as part of the summer youth~~
9 ~~program, and should be coordinated with existing employment~~
10 ~~training programs and economic development programs, including,~~
11 ~~but not limited to, programs funded under the Workforce~~
12 ~~Investment Act of 1998 (29 U.S.C. Sec. 2801 et seq.), or other~~
13 ~~federally funded workforce investment program, the California~~
14 ~~Community Colleges, the regional occupational programs and~~
15 ~~regional occupation centers, vocational education programs, joint~~
16 ~~labor-management training programs, and preapprenticeship or~~
17 ~~registered apprenticeship programs authorized by the Department~~
18 ~~of Industrial Relations Division of Apprenticeship Standards.~~

19 SEC. 2. Section 14206 of the Unemployment Insurance Code
20 is amended to read:

21 14206. It shall be the duty of the local board to do all of the
22 following:

23 (a) Coordinate workforce investment activities in the local area
24 with economic development strategies.

25 (b) Promote participation of private sector employers in the
26 local workforce investment system.

27 (c) Develop and submit a local workforce investment plan to
28 the Governor.

29 (d) Select one-stop operators, with the agreement of the local
30 chief elected official, annually review their operations, and
31 terminate for cause the eligibility of such operators.

32 (e) Award grants or contracts to eligible providers of youth
33 activities in the local area on a competitive basis, consistent with
34 the Workforce Investment Act of 1998, or other funding sources,
35 based upon the recommendations of the youth council.

36 (f) Identify, consistent with the Workforce Investment Act of
37 1998, or other federal statutes, eligible providers of training
38 services.

1 (g) Identify eligible providers of intensive services and, when
2 the one-stop operator does not provide intensive services to the
3 local area, award contracts to those providers.

4 (h) Develop local policy on the amount and duration of
5 individual training accounts based upon the market rate for local
6 training programs.

7 (i) Conduct program oversight over workforce investment
8 activities in the local area.

9 (j) Negotiate with the local chief elected official in the local
10 area and the Governor on local performance measures for the local
11 area.

12 (k) Assist in the development of a statewide employment
13 statistics system, which shall be developed in conjunction with
14 and shall utilize to the fullest extent possible, the Employment
15 Development Department's labor market information system.

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